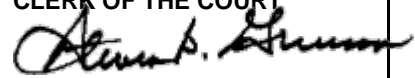


# Exhibit A

## Complaint and Initial Appearance Fee Disclosure

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Attorney for Plaintiff Lakisha Lewis

CASE NO: A-20-825155-C  
Department 4

DISTRICT COURT  
CLARK COUNTY NEVADA

\* \* \*

LAKISHA LEWIS,

Plaintiff,

vs.

SUNRISE HOSPITAL AND MEDICAL  
CENTER, LLC, a Delaware Limited Liability  
Company; DOES I-X; and, ROE Business  
Entities I-X,

Defendants.

Case No.:

Department No.:

**COMPLAINT**

JURY TRIAL DEMANDED

**Arbitration Exemption: action seeking  
equitable or extraordinary relief.**

COMES NOW THE PLAINTIFF, by and through his counsel, JAMES P. KEMP, ESQ., of  
KEMP & KEMP, ATTORNEYS AT LAW, and states and alleges causes of action against the  
Defendant(s) as follows:

**JURISDICTION**

1. This is a civil action for damages brought by LAKISHA LEWIS against her former employer to redress discrimination and retaliation under state and federal anti-discrimination statutes under NRS 613.330 et seq., and Title VII of the 1964 Civil Rights Act, as amended by the 1991 Civil Rights Act, 42 U.S.C. § 2000e to include discrimination and retaliation based on race, religion, and sex and protected activities related to race, religion, and sex. Plaintiff also brings claims for discrimination and retaliation under 42 U.S.C. § 1981.

2. The events complained of herein took place in Clark County, Nevada.



1 will seek leave of this Court to amend this Complaint to allege the true names and capacities of the  
2 DOE INDIVIDUAL and ROE CORPORATION Defendants when the true names of the DOE  
3 INDIVIDUAL and ROE CORPORATION Defendants are ascertained.

4 **ALLEGATIONS COMMON TO ALL CLAIMS**

5 10. Plaintiff was employed by Defendants from approximately November 5, 2012 through  
6 October 21, 2019 as a Supply Chain Technician.

7 11. Plaintiff was good at her job and enjoyed her work very much up until the time that the  
8 Defendant and its employees engaged in the illegal discrimination and retaliation set forth herein.

9 12. Plaintiff performed her job at a level that met or exceeded the reasonable expectations of  
10 the Defendants.

11 13. The Defendants discriminated against Plaintiff due to her race, black African-American,  
12 her sex (female), and her religion (Christian). Plaintiff was subjected to different and unequal terms  
13 and conditions of employment, harassed, and discharged. Her male, non-black, and non-Christian  
14 co-workers were treated much more favorably in the terms and conditions of their employment.

15 14. The Defendants retaliated against Plaintiff for her engaging in protected activities under  
16 NRS Chapter 613, Title VII of the Civil Rights Act of 1964, and 42 U.S.C. § 1981. These protected  
17 activities included, but were not limited to, Plaintiff complaining to her superiors and to Human  
18 Resources about discrimination, and Plaintiff having had a prior charge of discrimination against the  
19 Defendant. The retaliation took several forms, principally Plaintiff was terminated from her  
20 employment.

21 15. Plaintiff was discriminated against because of her sex, her race, and her religion. The  
22 discriminatory actions taken against her included, but were not limited to, being placed under undue  
23 scrutiny of her work, having her work sabotaged, being falsely accused of improper behavior, and  
24

1 disparate treatment when it came to matters of discipline.

2 16. On or about October 21, 2019 the Plaintiff was discharged.

3 17. The reason given for discharge was false and pretextual. The real reasons were  
4 discrimination and retaliation.

5  
6 **FIRST CAUSE OF ACTION**  
7 **DISCRIMINATION BASED ON**  
8 **RACE IN VIOLATION OF FEDERAL AND STATE LAW**

9 18. Plaintiff repeats and re-alleges each and every pertinent allegation contained in and every  
10 other pertinent paragraph contained in this Complaint, as if set forth fully herein.

11 19. Plaintiff is a member of the class of persons protected by federal and state statutes  
12 prohibiting discrimination based on race specifically black African-American. Plaintiff was properly  
13 performing all his job duties consistent with the employer's reasonable expectations.

14 20. Defendants, as employers, are subject to the federal statute prohibiting discrimination, Title  
15 VII, 42 U.S.C. § 2000e *et seq.* as amended, and the Nevada state statute prohibiting race  
16 discrimination, N.R.S. 613.310 *et seq.*, and thus have a legal obligation to provide Plaintiff and all  
17 employees a workplace free of unlawful discrimination. They failed to do so.

18 21. Plaintiff was treated differently because of her race, black African-American. Examples of  
19 this differing treatment, as more fully detailed above, include, but are not limited to, being subjected  
20 to being adversely treated in matters of discipline, being sabotaged, being lied about, and being  
21 generally treated in the workplace in a discriminatory manner in comparison to similarly situated  
22 employees not in her protected class.

23  
24 22. The aforementioned actions also give rise to an illegal hostile environment based on  
25 Plaintiff's race, black African-American. That hostile environment arose out of the cumulative  
26 effects of events occurring between April 1, 2019 and October 21, 2019, which created an illegally  
27  
28

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1 hostile environment within the limitation period under Title VII and the Nevada Statute and for  
2 which Plaintiff dual-filed a sworn Charge with the NERC and EEOC and subsequently amended that  
3 Charge on or about February 10, 2020. The Charge is incorporated here by this reference.

4 23. Plaintiff perceived her working environment to be abusive or hostile as would a reasonable  
5 person in Plaintiff's circumstances. The hostile work environment was severe or pervasive and  
6 altered the terms and conditions of Plaintiff's employment.

7 24. This illegal and hostile environment made it more difficult for Plaintiff to do his job,  
8 affected his work performance, his work-place well-being, and his mental state.

9 25. Defendants had actual and constructive knowledge of the intolerable conditions and  
10 discrimination to which Plaintiff was subjected, but chose not to remedy the situation.

11 26. These actions constitute violations of federal law prohibiting race discrimination, Title VII,  
12 42 U.S.C. § 2000e *et seq.* as amended, and Nevada state law, N.R.S. 613.310 *et seq.*

13 27. Plaintiff has suffered economic loss as a result of this illegal race discrimination and is  
14 entitled to recover an amount sufficient to make her whole.

15 28. The Plaintiff suffered the tangible adverse employment action of termination from  
16 employment.

17 29. Plaintiff is entitled to reinstatement, back pay, front pay in lieu of reinstatement, and any  
18 other monetary and equitable remedies contemplated by state and federal anti-discrimination laws.

19 30. Plaintiff has suffered emotional distress, humiliation, and mental anguish and is entitled to  
20 be compensated for those inflictions under the aforementioned federal statute.

21 31. Plaintiff is entitled to punitive damages under federal law in an amount sufficient to punish  
22 Defendants and to deter them from engaging in these actions.

23 32. As a result of Defendants' acts described in this Complaint, Plaintiff has been forced to  
24  
25  
26  
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1 engage the services of an attorney and expend costs to pursue and protect her rights under the law.

2 33. Defendants have acted with malice, fraud or oppression and a conscious disregard of  
3 Plaintiff's rights.

4 **SECOND CAUSE OF ACTION**  
5 **DISCRIMINATION BASED ON**  
6 **SEX IN VIOLATION OF FEDERAL AND STATE LAW**

7 34. Plaintiff repeats and re-alleges each and every pertinent allegation contained in and every  
8 other pertinent paragraph contained in this Complaint, as if set forth fully herein.

9 35. Plaintiff is a member of the class of persons protected by federal and state statutes  
10 prohibiting discrimination based on sex, female. Plaintiff was properly performing all his  
11 job duties consistent with the employer's reasonable expectations.

12 36. Defendants, as employers, are subject to the federal statute prohibiting discrimination, Title  
13 VII, 42 U.S.C. § 2000e *et seq.* as amended, and the Nevada state statute prohibiting sex  
14 discrimination, N.R.S. 613.310 *et seq.*, and thus have a legal obligation to provide Plaintiff  
15 and all employees a workplace free of unlawful discrimination. They failed to do so.

16 37. Plaintiff was treated differently because of her sex, female. Examples of this differing  
17 treatment, as more fully detailed above, include, but are not limited to, being subjected to  
18 being adversely treated in matters of discipline, being sabotaged, being lied about, and being  
19 generally treated in the workplace in a discriminatory manner in comparison to similarly  
20 situated employees not in her protected class.

21 38. The aforementioned actions also give rise to an illegal hostile environment based on  
22 Plaintiff's sex, female. That hostile environment arose out of the cumulative effects of events  
23 occurring between April 1, 2019 and October 21, 2019, which created an illegally hostile  
24 environment within the limitation period under Title VII and the Nevada Statute and for  
25  
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28

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1 which Plaintiff dual-filed a sworn Charge with the NERC and EEOC and subsequently  
2 amended that Charge on or about February 10, 2020. The Charge is incorporated here by  
3 this reference.

4  
5 39. Plaintiff perceived her working environment to be abusive or hostile as would a reasonable  
6 person in Plaintiff's circumstances. The hostile work environment was severe or pervasive  
7 and altered the terms and conditions of Plaintiff's employment.

8 40. This illegal and hostile environment made it more difficult for Plaintiff to do his job, affected  
9 his work performance, his work-place well-being, and his mental state.

10 41. Defendants had actual and constructive knowledge of the intolerable conditions and  
11 discrimination to which Plaintiff was subjected, but chose not to remedy the situation.

12 42. These actions constitute violations of federal law prohibiting sex discrimination, Title VII,  
13 42 U.S.C. § 2000e *et seq.* as amended, and Nevada state law, N.R.S. 613.310 *et seq.*

14 43. Plaintiff has suffered economic loss as a result of this illegal sex discrimination and is  
15 entitled to recover an amount sufficient to make her whole.

16 44. The Plaintiff suffered the tangible adverse employment action of termination from  
17 employment.

18 45. Plaintiff is entitled to reinstatement, back pay, front pay in lieu of reinstatement, and any  
19 other monetary and equitable remedies contemplated by state and federal anti-discrimination  
20 laws.

21 46. Plaintiff has suffered emotional distress, humiliation, and mental anguish and is entitled to be  
22 compensated for those inflictions under the aforementioned federal statute.

23 47. Plaintiff is entitled to punitive damages under federal law in an amount sufficient to punish  
24 Defendants and to deter them from engaging in these actions.  
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1 48. As a result of Defendants' acts described in this Complaint, Plaintiff has been forced to  
2 engage the services of an attorney and expend costs to pursue and protect her rights under the  
3 law.

4 49. Defendants have acted with malice, fraud or oppression and a conscious disregard of  
5 Plaintiff's rights.  
6

7 **THIRD CAUSE OF ACTION**  
8 **DISCRIMINATION BASED ON**  
9 **RELIGION IN VIOLATION OF FEDERAL AND STATE LAW**

10 50. Plaintiff repeats and re-alleges each and every pertinent allegation contained in and every  
11 other pertinent paragraph contained in this Complaint, as if set forth fully herein.

12 51. Plaintiff is a member of the class of persons protected by federal and state statutes  
13 prohibiting discrimination based on religion specifically Christian. Plaintiff was properly  
14 performing all his job duties consistent with the employer's reasonable expectations.

15 52. Defendants, as employers, are subject to the federal statute prohibiting discrimination, Title  
16 VII, 42 U.S.C. § 2000e *et seq.* as amended, and the Nevada state statute prohibiting religion  
17 discrimination, N.R.S. 613.310 *et seq.*, and thus have a legal obligation to provide Plaintiff  
18 and all employees a workplace free of unlawful discrimination. They failed to do so.

19 53. Plaintiff was treated differently because of her religion, Christian. Examples of this  
20 differing treatment, as more fully detailed above, include, but are not limited to, being  
21 subjected to being adversely treated in matters of discipline, being sabotaged, being lied  
22 about, and being generally treated in the workplace in a discriminatory manner in  
23 comparison to similarly situated employees not in her protected class.  
24

25 54. The aforementioned actions also give rise to an illegal hostile environment based on  
26 Plaintiff's religion, Christian. That hostile environment arose out of the cumulative effects of  
27  
28

1 events occurring between April 1, 2019 and October 21, 2019, which created an illegally  
2 hostile environment within the limitation period under Title VII and the Nevada Statute and  
3 for which Plaintiff dual-filed a sworn Charge with the NERC and EEOC and subsequently  
4 amended that Charge on or about February 10, 2020. The Charge is incorporated here by  
5 this reference.  
6

7 55. Plaintiff perceived her working environment to be abusive or hostile as would a reasonable  
8 person in Plaintiff's circumstances. The hostile work environment was severe or pervasive  
9 and altered the terms and conditions of Plaintiff's employment.

10 56. This illegal and hostile environment made it more difficult for Plaintiff to do his job,  
11 affected his work performance, his work-place well-being, and his mental state.

12 57. Defendants had actual and constructive knowledge of the intolerable conditions and  
13 discrimination to which Plaintiff was subjected, but chose not to remedy the situation.

14 58. These actions constitute violations of federal law prohibiting religion discrimination, Title  
15 VII, 42 U.S.C. § 2000e *et seq.* as amended, and Nevada state law, N.R.S. 613.310 *et seq.*

16 59. Plaintiff has suffered economic loss as a result of this illegal religion discrimination and is  
17 entitled to recover an amount sufficient to make her whole.

18 60. The Plaintiff suffered the tangible adverse employment action of termination from  
19 employment.  
20

21 61. Plaintiff is entitled to reinstatement, back pay, front pay in lieu of reinstatement, and any  
22 other monetary and equitable remedies contemplated by state and federal anti-discrimination  
23 laws.  
24

25 62. Plaintiff has suffered emotional distress, humiliation, and mental anguish and is entitled to  
26 be compensated for those inflictions under the aforementioned federal statute.  
27  
28

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63. Plaintiff is entitled to punitive damages under federal law in an amount sufficient to punish Defendants and to deter them from engaging in these actions.

64. As a result of Defendants' acts described in this Complaint, Plaintiff has been forced to engage the services of an attorney and expend costs to pursue and protect her rights under the law.

65. Defendants have acted with malice, fraud or oppression and a conscious disregard of Plaintiff's rights.

**FOURTH CAUSE OF ACTION**  
**RETALIATION IN VIOLATION OF FEDERAL AND STATE LAW**

66. Plaintiff repeats and re-alleges each and every pertinent allegation contained in and every other pertinent paragraph contained in this Complaint, as if set forth fully herein.

67. The aforementioned state and federal statutes prohibiting discrimination also separately prohibits employers from retaliating against any individual engaging in protected activity which includes reporting, complaining about, or raising concerns, and opposing possible discrimination or acts which might constitute discrimination.

68. Defendants' subjected Plaintiff to retaliation after, and as a result of, her engaging in protected activity as more fully detailed herein. Plaintiff's protected activities include: 1) reporting, complaining and opposing the illegal actions of her managers and co-workers; 2) the continual communication with Defendants regarding the illegal actions and discrimination; and 3) having previously filed a charge of discrimination with the EEOC.

69. The actions and conduct by Defendants would deter Plaintiff and others from reporting, complaining, opposing or otherwise engaging in protected conduct, thus constituting illegal retaliation because Title VII has been held to prohibit employer's actions which "well might have dissuaded a reasonable worker from making or supporting a charge of discrimination."

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*Burlington Northern Co. v. White*, 548 U.S. 53 (2006). Nevada state discrimination law is held to mirror Federal law.

70. Defendants failed to take reasonable actions to prevent retaliation against Plaintiff. To Plaintiff's knowledge and perception, after she complained and otherwise engaged in protected activities, no preventive or remedial actions were taken to prevent retaliation.

71. The aforementioned action and conduct of Defendants constitutes illegal retaliation prohibited under state and federal law.

72. As a direct and proximate cause of Defendants' wrongful conduct and illegal discrimination in the form of retaliation, Plaintiff has been seriously harmed, economically and emotionally, and is, therefore, entitled to be fully compensated.

73. Plaintiff is entitled to punitive damages under federal law in an amount sufficient to punish Defendants and to deter them from engaging in these actions involving a conscious disregard of Plaintiff's rights under the law.

74. As a result of Defendants' acts described in this Complaint, Plaintiff has been forced to engage the services of an attorney and expend costs to pursue and protect his rights under the law.

**FIFTH CAUSE OF ACTION:**  
**VIOLATION OF CIVIL RIGHTS UNDER 42 U.S.C. § 1981**

75. Plaintiff repeats and re-alleges each and every pertinent allegation contained in and every other pertinent paragraph contained in this Complaint, as if set forth fully herein.

76. Defendants have violated the Civil Rights Act of 1866, as amended, through the actions of their managers and officials in failing to provide equal contractual opportunities to black African –American employees.

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1 77. Defendants intentionally discriminated against Plaintiff because of her race in her  
2 contractual relations with Defendants.

3 78. Plaintiff has been harmed by Defendants' actions, has suffered damages, and is entitled to  
4 be fully compensated therefor.

5 79. The actions of Defendants were willful, malicious, oppressive, and calculated to discourage  
6 Plaintiff and other of Defendants' employees from pursuing their rights under Federal law.  
7 Defendants should be subjected to Punitive and Exemplary damages to deter future  
8 conduct of this sort.  
9

10 80. As a result of Defendants' actions, Plaintiff has been required to hire an attorney and  
11 expend fees and costs to pursue and protect her legal rights through this action and is,  
12 therefore, entitled to recover her reasonable attorney fees and costs in an amount to be  
13 determined.  
14

15 **SIXTH CAUSE OF ACTION:**  
16 **RETALIATION IN VIOLATION OF 42 U.S.C. § 1981**

17 81. Plaintiff repeats and re-alleges each and every pertinent allegation contained in and every  
18 other pertinent paragraph contained in this Complaint, as if set forth fully herein.

19 82. Plaintiff was retaliated against after she opposed and complained about the discriminatory  
20 treatment she received in Defendants' workplace.

21 83. Plaintiff suffered one or more adverse job consequences intentionally imposed by Defendant,  
22 as detailed above. These consequences were of the type that would tend to discourage  
23 similarly situated employees from complaining about or opposing illegal discrimination.

24 84. Plaintiff's employment was terminated by Defendants when she was discharged due to  
25 discrimination based on race and retaliation for Plaintiff having opposed and complained  
26 about the discriminatory and illegal treatment.  
27  
28

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1 85. Defendants' discriminatory and retaliatory treatment of the Plaintiff in her employment was  
2 in violation of 42 U.S.C. § 1981.

3 86. Plaintiff suffered mental anguish, humiliation and emotional distress as a direct and  
4 proximate result of Defendants' actions.

5 87. Plaintiff has suffered and will suffer lost wages and benefits of employment as a direct and  
6 proximate result of the actions of the Defendants.

7 88. The actions of Defendants were willful, malicious, oppressive, and calculated to discourage  
8 Plaintiff and other of Defendants' employees from pursuing their rights under Federal and/or  
9 Nevada law. Defendants should be subjected to Punitive and Exemplary damages to deter  
10 future conduct of this sort.

11 89. As a result of Defendants' actions, Plaintiff has been required to hire an attorney and expend  
12 fees and costs to pursue and protect his legal rights through this action and is, therefore,  
13 entitled to recover his reasonable attorney fees and costs in an amount to be determined.

14 **WHEREFORE**, Plaintiff expressly reserves the right to amend his Complaint at or before  
15 the time of trial of the action herein to include all items of damages not yet ascertained, and  
16 demands judgment against the Defendants, upon each of them, as follows:  
17

18 A. All applicable monetary relief provided for under Federal law, common law and Nevada  
19 state law including, but not limited, to the following:  
20

21 1. Money damages in excess of \$15,000.00;

22 2. Economic damages including, but not limited to, lost wages or income and  
23 benefits of employment, incidental and consequential damages;  
24

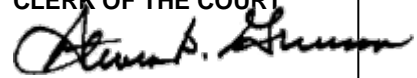
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3. Equitable and extraordinary relief in the form of an order reinstating Plaintiff to his position/shift in accordance with NRS, Title VII and/or other applicable law, or front pay in lieu of reinstatement;
  4. General damages including emotional distress and general economic harm;
  5. Nominal damages if appropriate;
  6. Punitive and/or Exemplary damages to deter the Defendants from future malicious, fraudulent, willfully illegal, and/or oppressive conduct of a similar nature;
  7. Pre-judgment and post-judgment interest on the amounts awarded at the prevailing legal rate;
  8. For an additional amount to account for any taxes Plaintiff may be called upon to pay in relation to any award made herein;
  9. Reasonable attorney fees, reasonable expert witness fees, and other costs of the action pursuant to federal and state statute, agreement, or court rule; and
- B. A trial by jury on all issues that may be tried to a jury; and/or
- C. For such other and further relief as the Court may deem just and proper.

DATED November 19, 2020

/s/ James P. Kemp  
JAMES P. KEMP, ESQ.  
Nevada Bar No.: 6375  
KEMP & KEMP  
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*Attorneys for Plaintiff*

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Attorney for Plaintiff

CASE NO: A-20-825155-C  
Department 4

DISTRICT COURT  
CLARK COUNTY, NEVADA

LAKISHA LEWIS,

Plaintiff,

vs.

SUNRISE HOSPITAL AND MEDICAL  
CENTER, LLC, a Delaware Limited Liability  
Company; DOES I-X; and, ROE Business  
Entities I-X,

Defendants.

)  
) Case No.:

)  
) Dept. No.

) **INITIAL FEE DISCLOSURE**

)  
)  
)

Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are submitted for  
parties appearing in the above entitled action as indicated below:

LAKISHA LEWIS, Plaintiff	\$270.00
TOTAL REMITTED:	<u>\$270.00</u>

Plaintiff demands a jury trial.

DATED November 19, 2020

/s/James P. Kemp  
JAMES P. KEMP, ESQ.  
Nevada Bar No. 006375  
Attorney for Plaintiff